

REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL		Application Number	10/079,512
		Filing Date	February 22, 2002
		First Named Inventor	Shunpei YAMAZAKI
		Group Art Unit	2826
		Examiner Name	Remon R. Verde
		Attorney Docket Number	740756-2441

Section (b) of 35 U.S.C. § 133, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1998.
See The America Invents Protection Act of 1999 (AIPA).

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.
NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.51(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 63 Fed. Reg. 30072 (Aug. 16, 2000); Interim Rule, 63 Fed. Reg. 14865 (Mar. 20, 2000), 1235 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE procedure.

1.	Submission required under 37 C.F.R. § 1.114			
a.	<input type="checkbox"/> Previously submitted i. <input type="checkbox"/> Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____ (Any uncorrected amendment(s) referred to above will be crossed). ii. <input type="checkbox"/> Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ iii. <input type="checkbox"/> Other _____			
b.	<input checked="" type="checkbox"/> Enclosed i. <input type="checkbox"/> Amendments/Reply ii. <input type="checkbox"/> Affidavit(s)/Declaration(s) iii. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)			
iv.	<input type="checkbox"/> Submission of Formal Drawings <input checked="" type="checkbox"/> Petition to Withdraw From Issue			
2.	Miscellaneous			
a.	<input type="checkbox"/> Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(l) required)			
b.	<input type="checkbox"/> Other _____			
3.	<input type="checkbox"/> Fees The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed. a. <input checked="" type="checkbox"/> The Director is hereby authorized to charge the following fees, additional fees which may be required, or credit any overpayments, to Deposit Account No. 19-2380 i. <input checked="" type="checkbox"/> RCE fee required under 37 C.F.R. § 1.17(e) ii. <input type="checkbox"/> Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) iii. <input checked="" type="checkbox"/> Other Petition Fee (\$130.00) b. <input checked="" type="checkbox"/> The Director is authorized to charge Deposit Account # 19-2380 in the amount of \$920.00 c. <input type="checkbox"/> Payment by credit card (Form PTO-2038 enclosed)			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Jeffrey L. Costello	Registration No. (Attorney/Agent)	35,488
Signature			
Date	4/22/2005		

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, or being facsimile transmitted to the USPTO at 571-273-0028, on April 22, 2005			
Signature			
Name	Pamela L. Patrick		

SEND TO: Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

W549916.1
PAGE 36 * RCVD AT 4/22/2005 4:13:46 PM (Eastern Daylight Time) * SVR:USPTO-EFXRF-1/2 * DNIS:8729306 * CSD:866 741 0075 * DURATION (min:sec):01:46

BEST AVAILABLE

APR. 22. 2005 4:22PM 866 741 0075

NO. 3014 P. 1

Nixon Peabody LLP
Attorneys at Law

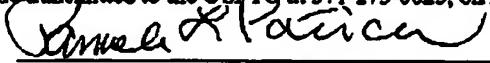
Suite 900
401 9th Street, N.W.
Washington, D.C. 20004-2128
(202) 585-8000
Fax: (202) 585-8080

PRIVILEGE AND CONFIDENTIALITY NOTICE
The information in this fax is intended for the named recipients only. It contains privileged and confidential matter. If you have received this fax in error, please notify us immediately by a collect telephone call to (202) 585-8000 and return the original to the sender by mail. We will reimburse you for postage. Do not disclose the contents to anyone. Thank you.

FAX

To:	Company	Fax #:	Telephone #:
1) Office of the Petitions	U.S. Patent & Trademark Office	571-273-0025	RECEIVED CENTRAL FAX CENTER
2)			
3)			
4)			
5)			APR 22 2005

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Jeffrey L. Costella	Date: April 22, 2005	No. of Pages: 5 (including this page)	
Comments:			
CERTIFICATE OF MAILING/FACSIMILE			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop 131-(c) Commissioner for Patents, Washington, D.C. 20231-1450, or being facsimile transmitted to the USPTO at 571-273-0025, on April 22, 2005.			
 Pamela L. Patrick			

First Class Mail Overnight Mail Hand Delivery This transmission will be the only form of delivery of this document

IF YOU DO NOT RECEIVE ALL OF THESE PAGES, PLEASE CONTACT THE FAX OPERATOR AS SOON AS POSSIBLE AT: (202) 585-8000. THANK YOU.

CONFIRMATION: DATE SENT _____ TIME _____ BY _____

INTEROFFICE TO: Albany Boston Buffalo Garden City Hartford Los Angeles Manchester
 New York City Northern Virginia Orange County Philadelphia Providence Rochester
 San Francisco Washington

To:	Company	Fax #:	Telephone #:
1) Office of the Petitions	U.S. Patent & Trademark Office	571-273-0025	
2)			
3)			
4)			
5)			

INTERNATIONAL PHONE NUMBERS MUST INCLUDE COUNTRY & CITY CODE. SEE LOCAL WHITE PAGES FOR CODES NEEDED.

From: Jeffrey L. Costella	Date: April 22, 2005	No. of Pages: 3 (including this page)	Check#:
User #:	Ext:	Disbursement Amount: 3	740736/002441

BEST AVAILABLE COPY

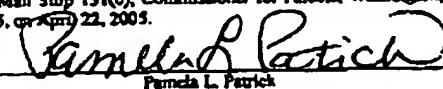
APR. 22. 2005 4:23PM

866 741 0075

NO. 3014 P. 2

CERTIFICATE OF MAILING/FACSIMILE

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Mail Stop 131(c), Commissioner for Patents, Washington, D.C. 20231-1450, or being facsimile transmitted to the USPTO at 571-273-0025, on April 22, 2005.


Pamela L. Patich

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT Application of:)
Shunpei YAMAZAKI.)
Serial No. 10/079,512) ISSUE BRANCH
Filed: February 22, 2002)
For: SEMICONDUCTOR DEVICE)

RECEIVED
CENTRAL FAX CENTER

APR 22 2005

**PETITION FOR WITHDRAWAL FROM ISSUE
TO PERMIT CONSIDERATION OF INFORMATION
DISCLOSURE STATEMENT UNDER
SECTION 1.97 IN A CONTINUING APPLICATION**

Mail Stop 131(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

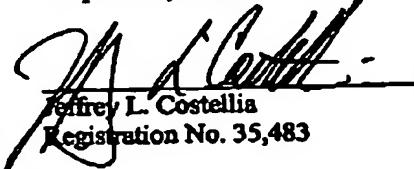
Sir:

Applicants hereby petition for the withdrawal of this application from issue. The issue fee for this case was paid on March 21, 2004.

The reason for withdrawal from issue of this application is for consideration of information in a continuing application. The continuing application is filed as a Request for Continued Examination (RCE). The RCE, which is entitled to priority under 35 U.S.C. 120 from this application, is being filed on the same date as this petition and accompanies this petition.

The petition fee of \$130 under 37 C.F.R. 1.17(i) is enclosed. The Commissioner is authorized to charge the Petition Fee of \$130.00 or any deficiencies (except the issue fee) or credit any overpayment to Deposit Account No. 19-2380 (740756-2441). A duplicate copy of this sheet is attached.

Respectfully submitted,


Jeffrey L. Costello
Registration No. 35,483

NIXON PEABODY LLP
401 9TH STREET, N.W., SUITE 900
Washington, D.C. 20004
(202) 585-8000
W049915.1

PAGE 25 * RCVD AT 4/22/2005 4:13:56 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF.1/2 * DMS:8729306 * CSID:866 741 0075 * DURATION (min:sec):01:46